

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

0506-0026

Case Title:

Ferguson Enterprises Inc.

Reporting Office:

Detroit, MI, Resident Office

Subject of Report:

Interview of (b)(6), (b)(7)(C) former DWSD Email Administrator

Activity Date:

February 23, 2012

Reporting Official and Date:

(b)(6), (b)(7)(C), ASAC

27-FEB-2012, Signed by (b)(6), (b)(7)(C), ASAC

Approving Official and Date:

(b)(6), (b)(7)(C), SAC

28-FEB-2012, Approved by (b)(6), (b)(7)(C), ASAC

SYNOPSIS

On February 23, 2012, U.S. EPA CID Special Agent (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) former email administrator for the Detroit Water & Sewerage Department (DWSD) during the execution of a search warrant at the DWSD Waste Water Treatment Plant.

DETAILS

On February 23, 2012, U.S. EPA CID Special Agent (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) former email administrator for the Detroit Water & Sewerage Department (DWSD) during the execution of a search warrant at the DWSD Waste Water Treatment Plant. Also present during the interview was (b)(6), (b)(7)(C), Deputy Corporation Counsel, City of Detroit Law Department. (b)(6), (b)(7)(C) was informed of the identity of the interviewing agent and provided the following information:

(b)(6), (b)(7)(C) was previously employed by Sync Technologies which was an IT contractor to the DWSD. (b)(6), (b)(7)(C) role with Sync was to serve as the Email Administrator for the DWSD. (b)(6), (b)(7)(C) is currently employed by the Beaumont Hospital group. (b)(6), (b)(7)(C) was asked by (b)(6), (b)(7)(C), Deputy Director of the DWSD, to be present for the search to assist the agents in mirror imaging of data.

(b)(6), (b)(7)(C) described how in 2008, (b)(6), (b)(7)(C) DWSD Manager of Information Systems, asked (b)(6), (b)(7)(C) what the DWSD retention policy was for email. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that it was eight weeks, which is what (b)(6), (b)(7)(C) normally tells people. (b)(6), (b)(7)(C) explained to SA (b)(6), (b)(7)(C) that the system actually maintains deleted emails for 12 weeks but to be safe (b)(6), (b)(7)(C) tells people 8 weeks as fairly often the server starts to run out of storage space and purges deleted emails early. (b)(6), (b)(7)(C) recalled that this discussion took place in 2008, approximately 7 weeks prior to (b)(6), (b)(7)(C) resigning as the Director of the DWSD. (b)(6), (b)(7)(C) did not mention (b)(6), (b)(7)(C) to (b)(6), (b)(7)(C) during their conversation.

Approximately one to two weeks after (b)(6), (b)(7)(C) resigned, (b)(6), (b)(7)(C) received an email from (b)(6), (b)(7)(C) directing that (b)(6), (b)(7)(C) email account be "retrieved." (b)(6), (b)(7)(C) explained that (b)(6), (b)(7)(C) did not email (b)(6), (b)(7)(C) directly but that the email was forwarded to (b)(6), (b)(7)(C) through the appropriate management chain-of-command. (b)(6), (b)(7)(C) pulled up (b)(6), (b)(7)(C) email account and noticed that it contained very few emails. (b)(6), (b)(7)(C) thought that this was unusual as (b)(6), (b)(7)(C) was one of the "worst offenders" when it came to the use of the email system and related storage of data. Seeing that (b)(6), (b)(7)(C) email account contained so little data, (b)(6), (b)(7)(C) accessed the back-up tapes for the most recent time period and found (b)(6), (b)(7)(C) data. (b)(6), (b)(7)(C) could tell from (b)(6), (b)(7)(C) review of the back-up tapes that (b)(6), (b)(7)(C) email account had been "purged" around the same time of (b)(6), (b)(7)(C) discussion with (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) was able to retrieve (b)(6), (b)(7)(C)'s emails including those that had been deleted. (b)(6), (b)(7)(C) confirmed that those emails were the ones being mirror imaged by the EPA CID agents pursuant to the search warrant.